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Report of the Secretary-General on the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo

I. Introduction

1. The present report is submitted pursuant to paragraphs 50 and 52 of Security Council resolution 2277 (2016). It covers major developments in the Democratic Republic of the Congo since my report of 9 March 2016 (S/2016/233); progress in the implementation of the mandate of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO); and an update on the ways in which MONUSCO will be best prepared to address security risks and to monitor and report on human rights violations and abuses in the context of the elections scheduled for November 2016. It concludes with observations on the situation in the Democratic Republic of the Congo and the way forward.

II. Major developments

A. Political situation

2. The national dialogue proposed by the President, Joseph Kabila, to overcome the electoral impasse and defuse political tensions did not gain traction during the reporting period. The ruling Majorité présidentielle coalition continued to express support for the initiative, while the political opposition and parts of civil society maintained scepticism regarding the initiative, which they viewed as an attempt by the ruling coalition to prolong the President's stay in power beyond the constitutionally limited term that will end in December 2016.

3. On 6 April, the Chairperson of the African Union Commission appointed the former Prime Minister of Togo, Edem Kodjo, as the Facilitator for the national dialogue in the Democratic Republic of the Congo, and called upon all stakeholders to extend to him their full cooperation. Mr. Kodjo pursued his consultations with stakeholders in Kinshasa and established a working group comprising members of civil society to begin preparations for the dialogue and the establishment of a preparatory committee. In a letter dated 11 April addressed to the Chairperson of the African Union Commission, the Dynamique de l'opposition and the Groupe des sept (G7) opposition platforms, which had rejected consultations with the Facilitator, proposed the establishment of a panel of representatives of the African Union, the

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United Nations, the European Union, the International Organization of la Francophonie and the United States of America to facilitate the dialogue among political stakeholders.

4. Throughout the period under review, my Special Representative for the Democratic Republic of the Congo, Maman Sidikou, continued his engagement with political stakeholders across the spectrum to encourage them to participate in the political dialogue process. On 17 May, in a letter addressed to the African Union, the Secretariat reiterated its support for the efforts of Mr. Kodjo and proposed an exchange between the African Union and the United Nations to mobilize international support for the facilitation. The Facilitator, my Special Representative and my Special Envoy for the Great Lakes Region, Said Djinnit, travelled to Addis Ababa on 1 June for consultations with the African Union Commission with regard to the national dialogue. In a joint communiqué issued on 6 June, the African Union, the European Union, the International Organization of la Francophonie and the United Nations reiterated the importance of political dialogue and their support for the African Union Facilitator, and announced the establishment of a support group for the facilitation. The support group would include representatives of the International Conference on the Great Lakes Region and the Southern African Development Community (SADC).

5. At the initiative of the leader of the Union pour la démocratie et le progrès social (UDPS), Etienne Tshisekedi, the main opposition parties and civil society organizations met in Genval, Belgium, on 8 and 9 June to reach a common position in the light of the electoral impasse and to prevent what they termed a "constitutional coup d'état" by the President. On 10 June, the Alternance pour la République, the Dynamique de l'opposition, G7, the Majorité présidentielle populaire, UDPS and several civil society organizations signed a letter of commitment in which they underscored the need to respect the Constitution and to hold elections within the constitutional time frame. The meeting rejected the holding of a referendum to approve a new constitution following a call from a senior member of the Majorité présidentielle coalition for the removal of the term limit. It also denounced the Government for approving the registration of dissident wings of political parties under the same name and called for the release of political detainees. With regard to the dialogue, the meeting stated its opposition to the national dialogue under the terms of the President's ordinance of 28 November 2015, and called instead for political dialogue to be held in accordance with resolution 2277 (2016) by the international facilitator with the support of a panel comprising representatives of the United Nations, the African Union, the European Union, the International Organization of la Francophonie and the United States. Following a meeting with Mr. Kodjo held in Brussels on 17 June, Mr. Tshisekedi reiterated the opposition's stand with regard to the dialogue, in keeping with the outcome of the Genval meeting.

6. At a press conference on 10 June, the Secretary-General of the Majorité présidentielle and Speaker of the National Assembly, Aubin Minaku, rejected the outcome of the meeting in Genval, arguing that the opposition was preparing a coup d'état and warning against any initiative that would amount to the toppling of the democratically elected institutions. He called upon the African Union Facilitator to proceed with his efforts to establish the preparatory committee in anticipation of the holding of the national dialogue, while encouraging the National Independent Electoral Commission to continue with preparations for the revision of the voter

register. In a communiqué issued on 14 June, the International Conference on the Great Lakes Region summit of Heads of State and Government commended the Government for the preparations for political dialogue aimed at creating a conducive climate for the next elections and urged all Congolese political actors to participate and extend support to the international facilitator appointed by the African Union.

7. There were a number of other developments during the period under review, which contributed to heightening political tensions and deepening divisions between the Government and the opposition. On 18 April, 286 members of the National Assembly from the Majorité présidentielle and the opposition, including 12 representatives of UDPS, submitted a request for the Constitutional Court to interpret articles 70, 103, 105 and 197 of the Constitution. On 11 May, the Constitutional Court ruled that the Constitution provided for the President and Members of Parliament to remain in office until the assumption of duties of the new office holders.

8. The ruling of the Constitutional Court exacerbated the polarization of the political class in the country. The Deputy Secretary-General of the President's Parti du peuple pour la reconstruction et la démocratie, Ramazani Shadari, characterized the ruling as a victory for the people and the stability of the Democratic Republic of the Congo, while the political opposition rejected the ruling. On 14 May, G7, the Dynamique de l'opposition and the Front citoyen opposition platforms issued a joint statement indicating that the ruling violated the Constitution, and announced the undertaking of "large-scale actions to salvage the nation", including demonstrations on 26 May.

9. Tensions rose in Lubumbashi following the arrest on 24 April of four collaborators of the former Governor of Katanga, Moïse Katumbi, including a United States citizen accused by the judiciary of being a mercenary, and the Government's announcement on 4 May to open a judicial inquiry into the alleged presence of foreign mercenaries at the service of Mr. Katumbi. Both Mr. Katumbi and the Government of the United States rejected the allegations. On the same day, G7 announced that Mr. Katumbi would run for President as the candidate of the Alternance pour la République and G7 opposition groups.

10. On 7 May, Mr. Katumbi received a summons to appear before the Director of Public Prosecutions in Lubumbashi on 9 May. Suspected agents of the national intelligence services reportedly conducted a search of Mr. Katumbi's farm outside Lubumbashi. Mr. Katumbi appeared before the Director of Public Prosecutions on 9 May, with crowds gathering outside the building. The MONUSCO leadership engaged with the provincial government authorities and representatives of political parties to advocate for restraint. Hearings continued on 11 and 13 May; the national police was deployed to manage the crowd. On 13 May, while entering the court building, Mr. Katumbi was exposed to tear gas fired by the national police to disperse demonstrators. He and two of his close collaborators were injured during clashes between the police and demonstrators. Twenty-nine demonstrators were arrested and five injured by the police on 9, 11 and 13 May in the context of the hearings.

11. On 19 May, the Court indicted Mr. Katumbi on charges of undermining national security, and the Director of Public Prosecutions in Lubumbashi issued an arrest warrant. On 20 May, Mr. Katumbi left the country with the permission of the

Congolese authorities to receive medical treatment abroad. The foreign citizen allegedly serving as a mercenary was handed over to the Embassy of the United States in Kinshasa on 7 June, and subsequently left the country. The case remains pending before the court. In a separate lawsuit, on 22 June, a district court in Lubumbashi sentenced Mr. Katumbi in absentia to three years in prison and the payment of a fine of $1 million for forgery.

12. At the initiative of the opposition parties, including the Dynamique de l'opposition, the Front citoyen, G7 and UDPS, demonstrations were held on 26 May in several cities across the Democratic Republic of the Congo to protest against the ruling of 11 May of the Constitutional Court and to call for the holding of presidential elections within constitutional timelines. The protests were also directed against the continued violence and human rights violations against civilians perpetrated by the Allied Democratic Forces (ADF) and affiliated groups in the Beni area, in North Kivu. My Special Representative proactively engaged senior government officials and representatives of political parties ahead of the demonstrations and issued a communiqué on 25 May in which he called upon all parties to refrain from violence.

13. Violent clashes between the police and demonstrators were reported in a number of locations, including Beni, Goma and Mbandaka, where local authorities had banned the demonstrations. At least 2 civilians were killed and 23 injured. According to the national police, 14 police officers were injured during the demonstrations. Before and during the demonstrations of 26 May, 101 demonstrators were arrested, 9 of whom, including 2 minors, remain in detention. One police officer was reportedly arrested, tried and sentenced to 10 years in prison for violation of orders and firing live ammunition during demonstrations in Mbandaka.

14. Following an increase in reported violations of human rights and fundamental freedoms relating to the electoral process, concerns continued to be voiced about diminishing political space. Calls for demonstrations were preceded by arrests of individuals affiliated with the opposition and intimidation by the Agence nationale de renseignement (ANR) and the national police. On 22 April, in Lubumbashi, nine members of the Union nationale des fédéralistes du Congo (UNAFEC), a member party of G7, received sentences of between 5 and 10 years in prison for rebellion and robbery. Six of them, including the President of UNAFEC, were requested to pay a fine of $10,000 for destruction of property. During the same trial, two members of UNAFEC were acquitted and a minor was referred to the juvenile court. On 24 April, in Lubumbashi, the police dispersed a G7 rally and arbitrarily arrested at least 35 collaborators of Mr. Katumbi and supporters of G7; security forces subsequently released all except four persons, who were transferred to ANR in Kinshasa. There were also reports of ANR officers disrupting a meeting of the Mouvement social pour le renouveau (MSR), a member party of the G7 platform, in Lubumbashi on 14 March. On 21 May, 27 individuals were arrested and subsequently released during a peaceful demonstration held by Dynamique Congo, an opposition party, in solidarity with the victims of violence committed by ADF in Beni.

15. Divisions within the opposition parties and the registration of some of the dissident wings of the G7 political opposition parties also exacerbated tensions. On 26 April, in Lubumbashi, Haut-Katanga, the headquarters of the Union nationale des

démocrates fédéralistes, a member of G7, was vandalized and set on fire by unidentified individuals. There were also reports of violent altercations on the same day between rival factions of MSR in an attempt to take control of the offices of the party in several cities. On 4 May, in Bukavu, South Kivu, the Office of the Prosecutor ordered the faction of the party that had decided to remain with the Majorité présidentielle to occupy the Bukavu office of MSR.

16. On 21 June, in The Hague, the International Criminal Court sentenced Jean-Pierre Bemba, the former leader of the Mouvement de libération du Congo (MLC) and former Vice-President of the Democratic Republic of the Congo, to 18 years in prison for his command responsibility for crimes against humanity and war crimes committed by MLC troops in the Central African Republic between October 2002 and March 2003.

B. Electoral developments

17. On 12 March, provincial assemblies elected bureaux in the 21 new provinces. The Majorité présidentielle controls the assemblies in 18 provinces and the opposition party MLC in three provinces (Nord-Ubangi, Sud-Ubangi and Tshuapa). Gubernatorial elections were held on 26 March, in which the provincial assemblies elected governors in the new provinces to replace the special commissioners who had been appointed by the President on 29 October 2015. In 15 of the 21 provinces, the elections confirmed the former special commissioners or the deputies in their posts. Overall, 16 elected governors are affiliated with the Majorité présidentielle and 5 are either independent or affiliated with the opposition, namely, the Alliance des travaillistes pour le développement and the Alliance pour le renouveau du Congo.

18. The National Independent Electoral Commission focused its efforts on preparations for updating the voter register and launched the administrative and procurement process for the biometric kits, voter cards and supplies needed for the revision of the register. Progress was also made in completing the legislative framework for voter registration. On 3 June, the National Assembly passed amendments to the law on voter registration, which is now under examination by the Senate.

19. During the period under review, the Government disbursed $20 million to the National Independent Electoral Commission for preparations for the elections. The multi-partner basket fund for the Projet d'appui au cycle électoral au Congo, managed by the United Nations Development Programme, remained funded at only around 6 per cent of the estimated budget of $123.3 million to support the electoral process, with donors having conditioned any further commitment of resources on certain clarifications with regard to the process.

20. From 24 April to 10 May, I deployed an electoral advisory mission to the Democratic Republic of the Congo to assess issues surrounding the electoral process and to formulate recommendations for United Nations support for voter registration. The advisory mission proposed, for consideration by national stakeholders, three possible options for the revision of the voter register. The options are: (a) to use the existing voter register; (b) to conduct a partial update of the voter register to include youth who had reached the age of 18 years since 2011 (around 8.5 million), the diaspora (around 4.5 million) and non-registered or omitted voters in 2011

(around 4 million), which would take nine and a half months, followed by elections three and a half months later; and (c) to carry out a full update of the voter register within a time frame of ten and a half months, followed by elections three and a half months later.

C. Security situation

21. Civilians in eastern Democratic Republic of the Congo continued to suffer from armed violence, in particular in the Beni area, in spite of efforts by the Forces armées de la République démocratique du Congo (FARDC) and MONUSCO to address the threat. During the period under review, presumed ADF elements and other affiliated armed groups killed 76 civilians, abducted at least 30 others and staged 9 ambushes against FARDC. On 3 and 6 May, suspected ADF elements attacked two villages in the Eringeti area and killed 36 civilians and wounded 17, including children and pregnant women. The assailants also abducted 17 civilians and looted and destroyed property. Attacks against FARDC positions continued, while a direct attack on MONUSCO occurred on 24 March at Semiliki, which was repelled by the peacekeepers at the base. According to Congolese civil society, more than 1,000 people have been killed in the Beni area since October 2014. The Congolese authorities responded to the incidents by relocating the FARDC Operation Sukola I command from the town of Beni to Eringeti, while temporarily moving the provincial security committee from Goma to Beni. With the support of MONUSCO, Congolese military justice authorities were deployed to the area from 13 to 22 May to expedite criminal judicial proceedings.

22. The FARDC-led Operation Sukola II, against the Forces démocratiques pour la libération du Rwanda (FDLR) and allied elements, continued in Rutshuru territory, North Kivu, with new offensives launched by FARDC, with support from MONUSCO, targeting the FDLR leadership. Nevertheless, FDLR remained active in the province; there were continued reports of attacks against civilians, kidnappings for ransom and clashes with Mayi-Mayi groups, resulting in significant displacement of the population. On 15 April, a biometric registration centre for Rwandan refugees jointly operated by the National Commission for Refugees and the Office of the United Nations High Commissioner for Refugees (UNHCR) was attacked and looted by suspected FDLR elements.

23. Some progress was made against FDLR; the Congolese authorities arrested and referred to justice two high-profile FDLR members. On 20 March, Ladislas Ntaganzwa, a senior member of FDLR, who faces charges of genocide and other crimes against humanity, was transferred, with support from MONUSCO, to the International Residual Mechanism for Criminal Tribunals. On 28 April, in Goma, the Congolese authorities arrested "General" Leopold Mujyambere, the chief of staff of the Forces démocratiques pour la libération du Rwanda-Forces combattantes Abacunguzi (FDLR-FOCA). At the same time, an apparent split in the leadership of FDLR-FOCA was reported when "Colonel" Wilson Irategeka, the group's Second-Vice-President, was suspended on 23 May after accusations of "treason" for allegedly being involved in the arrest of "General" Mujyambere. "Colonel" Irategeka and his followers reportedly established a new movement, the National Council for Renewal and Democracy.

24. Also in North Kivu, attacks against civilians by the Nduma défense du Congo-renouveau, the Union des patriotes pour la défense des innocents and various other Mayi-Mayi groups continued in Lubero, Rutshuru and Walikale territories. In Lubero and Walikale territories, a coalition of local Mayi-Mayi groups of the Nduma défense du Congo-renouveau and the Union des patriotes pour la défense des innocents was reportedly involved in the killing of civilians perceived to be supporting FDLR in the context of ongoing intercommunal tensions between Nande and Hutu communities. A large number of members of the Hutu community remain internally displaced in Buleusa, in Walikale territory. On 16 June, in Buleusa, MONUSCO troops engaged Mayi-Mayi elements who had been trying to impede the distribution of food by humanitarians to internally displaced persons, resulting in the death of nine Mayi-Mayi elements.

25. In South Kivu, FARDC continued operations against Mayi-Mayi Raiya Mutomboki and other Mayi-Mayi groups in Fizi, Mwenga, Shabunda and Uvira territories. The situation remained volatile in the Ruzizi Plains and in some parts of Kabare, Kalehe, Mwenga and Shabunda territories, where the presence and activities of armed groups continued to be a destabilizing factor.

26. In Ituri province, elements of the Forces de résistance patriotique de l'Ituri (FRPI) continued to attack civilians and loot villages. Around 41 attacks against civilians and FARDC were registered in April, especially in Gety and Aveba and surrounding areas. There was a significant increase in violations from previous reporting periods. FARDC operations against FRPI continued with support from MONUSCO, including through "Operation Torche", aimed at dismantling FRPI camps. Elsewhere in Ituri, Mayi-Mayi elements carried out frequent attacks, including an attack on 19 April on an FARDC position near Biakatu (south of Mambasa), during which MONUSCO supported FARDC in regaining control of the situation.

27. In Bas-Uélé and Haut-Uélé, since April, there has been a surge in the activity of the Lord's Resistance Army (LRA), owing mainly to the infiltration of suspected LRA elements from South Sudan and the Central African Republic fleeing the pressure of military operations within the framework of the African Union Regional Cooperation Initiative for the Elimination of the Lord's Resistance Army. LRA elements and poachers carried out a series of ambushes around Garamba National Park, resulting in the killing of at least five FARDC personnel. On 23 April, during an exchange of fire with poachers, three park rangers were killed and the Director of the National Park was seriously wounded. In response, FARDC sent reinforcements to the area.

28. In Tanganyika province, Mayi-Mayi Kata Katanga continued to destabilize parts of Manono, Mitwaba and Pweto territories, where the armed group reportedly killed six civilians in four separate incidents during the reporting period. In March, following a series of reconciliation meetings supported by MONUSCO between the Batwa and Luba groups, there was a significant reduction in tensions and the return of more than 650 families to their homes in the Sange area, in Kasenga territory.

D. Protection of civilians and neutralization of armed groups

29. MONUSCO pursued efforts to protect civilians in eastern Democratic Republic of the Congo, where 70 per cent of the human rights violations committed

during the period under review were registered. MONUSCO carried out day and night patrols and joint assessment missions, as well as targeted visits of joint protection teams to areas of concern in Bas-Uélé, Haut-Uélé, Ituri, North Kivu and South Kivu provinces. MONUSCO reinforced its civilian capacity in its Beni office with a view to strengthening its protection response in this particularly volatile area. MONUSCO continued to support State institutions with protection responsibilities, including through awareness-raising and advocacy with local authorities, and intercommunal dialogue initiatives to reduce community support for armed groups while supporting judicial processes against the leaders of armed groups.

30. The community alert networks transmitted 225 early warning alerts per month on average, which represented a 25 per cent increase from the previous reporting period. Most of the alerts resulted in a response by FARDC, the national police, other local authorities or MONUSCO.

31. The Mine Action Service of the United Nations continued to support the efforts of MONUSCO to protect civilians, including through the destruction of 2,162 explosive remnants of war, 33 weapons and 11,274 rounds of small arms ammunition. The Mine Action Service also expanded its support to the national police by providing infrastructure for safe weapons storage, technical advice and training in Bukavu and Bunia.

32. In North Kivu, MONUSCO continued to support the FARDC-led Operation Sukola I in Beni territory, in compliance with the United Nations human rights due diligence policy, and to maintain military pressure on ADF in the triangle between Bilimani, Madina and Sesele. The objective of the operations was to destroy four ADF camps and deny the armed group freedom of movement in the "triangle" area. After weeks of joint planning, FARDC redeployed several battalions into the Beni area, assisted by MONUSCO through air transport. On 14 May, FARDC and MONUSCO launched a coordinated operation against ADF. By 21 May, after seven days of combat, a total of five ADF camps had been destroyed by FARDC. Overall, 24 ADF elements had been killed and four others captured, including one child associated with ADF. Some elements of ADF managed to escape from the "triangle" area and fled northwards. Further operations are being planned to consolidate the gains. MONUSCO troops, including special forces and the Force Intervention Brigade, were directly engaged in this coordinated operation. In addition to providing tactical support to FARDC, MONUSCO provided artillery fire support, facilitated front-line medical evacuations and provided logistical support relating to food, water and ammunition.

33. During the period under review, FARDC and MONUSCO resumed cooperation in operations against FDLR in North Kivu. On 23 May, jointly planned military operations against FDLR resumed in North Kivu as part of Operation Sukola II, targeting the FDLR leadership. Within the broader framework of this operation, the coordinated FARDC-MONUSCO Operation Nyamulgira was launched on 24 May. As at 27 May, FARDC had captured eight FDLR elements, who were transferred to Goma with the support of MONUSCO.

E. Disarmament, demobilization and reintegration/disarmament, demobilization, repatriation, resettlement and reintegration

34. The implementation of Phase III of the Programme national de désarmement, démobilisation et reintegration is progressing. Ninety-five Congolese combatants entered the programme during the period under review and 93 foreign combatants were repatriated, while 50 weapons with 501 rounds of ammunition were collected. In addition, 4,575 ex-combatants in the Kamina (Haut Lomami) and Kitona (Kongo Central) camps completed vocational training and are awaiting reintegration. However, the Government has suspended their planned return, originally envisaged for April, owing to incomplete community preparations and the volatile security situation in many of the return destinations.

35. A total of 612 ex-combatants were reportedly transferred from the Kamina and Kitona camps to the Rwampara (Bunia) camp for military training and subsequent integration into FARDC, and 18 ex-combatants allegedly deserted the Rwampara camp.

36. On 15 June, clashes erupted between ex-combatants in the Kamina camp and FARDC amid protests against the delayed reinsertion. The incident reportedly resulted in the death of at least 10 ex-combatants and 3 FARDC soldiers.

37. MONUSCO continued to provide food, medicine and fuel to support 1,322 FDLR combatants and their dependants in transit camps at Kanyabayonga (North Kivu) and Walungu (South Kivu), as well as in the Government-run camp at Kisangani (Tshopo). From 23 to 26 May, my Special Envoy for the Great Lakes Region led a visit to North Kivu by the guarantors of the Peace, Security and Cooperation Framework (the African Union, the International Conference on the Great Lakes Region, SADC and the United Nations). The guarantors encouraged the FDLR combatants in the Kanyabayonga camp to return to Rwanda without preconditions; assured them of the international community's commitment to supporting a safe and dignified process; and indicated that there was no prospect of their relocation to a third country.

F. Consolidation of State authority and stabilization

38. MONUSCO continued to assist the Government in the implementation of stabilization initiatives through the Stabilization Coherence Trust Fund, funded by the Netherlands, Norway, the United Kingdom of Great Britain and Northern Ireland and the United Nations Peacebuilding Fund. On 31 March, the first contract was allocated in Kitchanga (North Kivu) under the democratic dialogue pillar of the International Security and Stabilization Support Strategy. On 6 April, the Trust Fund agreed to allocate $17 million for projects responding to the objectives of the provincial stabilization strategies and action plans in Ituri, North Kivu and South Kivu provinces. MONUSCO also provided advisory services to bilateral and multilateral donors to ensure that stabilization projects not funded through the Trust Fund were aligned with the Strategy.

39. In the midterm review of pilot programmes of the International Security and Stabilization Support Strategy in Mambasa (Ituri) and Kalehe (South Kivu), funded by Norway and the United Nations Peacebuilding Fund within the framework of the Strategy, progress in implementation was noted. The programme in Kalehe led to

the resolution of 60 land conflicts; the provision of training to 30 police officers and 45 civil servants; the construction of three police stations; and the rehabilitation of roads. In Mambasa territory, recent achievements included improved access to justice: 24 of 128 cases of sexual and gender-based violence were referred to the judiciary for prosecution, while 34 vulnerable people benefited from legal aid in accessing the military and civilian justice systems. Moreover, 31 long-lasting judicial cases were finalized with the support of mobile courts. In areas in which the programmes are being implemented, communities have reported decreased reliance on armed groups for protection and improved collaboration with local authorities to address impunity.

40. In May, MONUSCO launched jointly with the Ministry of the Interior a capacity- and confidence-building project for security actors and local communities in Ituri, North Kivu, South Kivu and Tanganyika provinces. MONUSCO also partnered with provincial authorities in North Kivu, South Kivu and Tshopo to provide training to 318 representatives of local authorities, including customary chiefs, civil servants and members of civil society, on decentralized governance, planning and budgeting to improve local governance, and accountability.

G. Human rights situation

41. MONUSCO continued to document the deteriorating human rights situation in the country. The Mission registered 1,153 allegations of human rights violations during the period under review. Most of the alleged violations (712) were committed in eastern Democratic Republic of the Congo. Armed groups accounted for 38 per cent and State actors for 62 per cent of the alleged violations. MONUSCO documented an increasing trend of allegations of violations of fundamental rights and freedoms. More precisely, there was an increase in allegations of violations of the rights to freedom of peaceful assembly and freedom of speech. These violations concern mainly the political and civil rights and other fundamental freedoms that the Government has an obligation to protect under the Constitution and relevant international instruments it has ratified.

42. Congolese military justice authorities prioritized 17 cases of international crimes committed by FARDC, FDLR, FRPI and other armed groups in eastern Democratic Republic of the Congo, for investigation and prosecution, with support from MONUSCO and the United Nations Development Programme. The case against Mayi-Mayi Simba elements accused of crimes against humanity and war crimes was closed in April with one conviction, carrying a six-year prison term, and nine acquittals.

43. MONUSCO followed up on the situation of arbitrarily detained persons and supported the relocation of women detainees in Butembo prison to a newly constructed section funded by MONUSCO. The Mission also provided logistical support to the Gety and Mambasa prisons in Ituri province, continued to advocate for the improvement of prisoner health care and implemented food security programmes for detainees.

H. Sexual violence

44. Thirty-eight persons, including 32 minors, were reported to be victims of conflict-related sexual violence. Armed groups were reportedly responsible for 68 per cent of those abuses and State actors for 32 per cent. FARDC was allegedly responsible for 24 per cent of the violations, while FDLR and FRPI were reportedly responsible for 21 per cent and 18 per cent, respectively. MONUSCO assisted FARDC with the review of training materials on sexual violence. The Team of Experts on the Rule of Law and Sexual Violence in Conflict provided advisory and technical support to the military justice authorities.

I. Child protection

45. MONUSCO documented 589 cases of grave violations of children's rights. This is a significant increase from the previous reporting period, during which 214 cases were documented. A total of 495 children (420 boys and 75 girls) were separated or escaped from armed groups. This indicates a considerable increase from the previous reporting period, owing to enhanced military operations against armed groups in North Kivu and effective information-sharing among child protection partners in the field. The main armed groups recruiting children were FDLR-FOCA (146), Mayi-Mayi Nyatura (97), the Forces populaires pour la démocratie/Mayi-Mayi Bokande (42), the Forces démocratiques pour la libération du Rwanda-Ralliement pour l'unité et la démocratie (36), Mayi-Mayi Raiya Mutomboki (35), FRPI (22), the Union des patriotes congolais pour la paix du Général Lafontaine (20) and the Alliance des patriotes pour un Congo libre et souverain (19). Thirty-four children formerly associated with armed groups were released from FARDC detention. On 5 April, a joint technical working group comprising representatives of the Government, MONUSCO and the United Nations Children's Fund validated the standard operating procedures on age assessment, drafted in August 2015, to help FARDC to establish a procedure to identify children countrywide and thus prevent underage recruitment.

J. Humanitarian situation

46. The humanitarian situation remains dire in the Democratic Republic of the Congo, with 7.5 million people in need of humanitarian assistance across the country. Some 1.8 million persons are internally displaced, primarily as a result of activity by armed groups and military operations against these groups in eastern Democratic Republic of the Congo. This protracted situation puts a strain on host communities. There are also some 398,000 refugees and asylum seekers in the country, including approximately 245,000 from Rwanda; 113,000 from the Central African Republic; 26,000 from Burundi; and 13,000 from South Sudan.

47. Humanitarian access in eastern Democratic Republic of the Congo has become increasingly difficult owing to growing insecurity. Several ambushes of vehicles of non-governmental organizations were reported, as well as kidnappings by armed groups, including suspected FDLR, Mayi-Mayi Nyatura and other criminal elements. Since my previous report, 2 humanitarian workers have been killed and 12 others abducted and subsequently released in Ituri, North Kivu and South Kivu provinces.

48. The dismantlement of sites for internally displaced persons in North Kivu by the Government resulted in the further displacement of some 45,000 persons. The humanitarian community and MONUSCO continued to advocate for respect by the Government of its international obligations, including with regard to securing areas in which populations were displaced and ensuring that the closure of sites did not increase the vulnerability of internally displaced persons.

49. At the initiative of UNHCR, the Special Rapporteur on the human rights of internally displaced persons visited the Democratic Republic of the Congo from 20 to 27 April and made recommendations with regard to addressing the challenges of protection and assistance, including the search for durable solutions for internally displaced persons before the closure of sites.

50. The Humanitarian Response Plan of $690 million remained funded at only 13.2 per cent, amounting to a total of $91 million, thus constraining the humanitarian response.

K. Economic situation

51. The prevailing international context of falling prices of primary commodity exports led to the degradation of the domestic macroeconomic framework. On 20 April, the Government instructed the Banque centrale du Congo to suspend sine die repayment of value-added taxes difference to companies operating in the country. On 9 May, the Government announced that the growth rate for 2016 was expected to decline from 9 per cent to 6.6 per cent, while the annual inflation rate was evaluated at 1.5 per cent. The scarcity of foreign reserves plunged one of the largest commercial banks in the country, the Banque internationale pour l'Afrique au Congo, into a liquidity crisis, precipitating the provision of a Government bailout envelope evaluated at $60 million. The Banque centrale du Congo placed the Banque internationale pour l'Afrique au Congo under interim management on 30 May, tasked with preparing a recovery plan within 180 days.

52. A draft amendment to the 2016 Finance Law was adopted by the National Assembly and the Senate on 1 and 11 June, respectively. The rectified law, the draft of which remains to be finalized prior to promulgation, reduced government revenue to $7.1 billion against an initial $9.1 billion, with expenditure cuts of 22 per cent. Security institutions, including the armed forces and the police, are subject to a 30 per cent reduction in bonuses paid to combat troops and commanding officers. In addition, some environmental and infrastructure projects were placed on hold.

L. Regional developments

53. My Special Envoy for the Great Lakes Region, the guarantors of the Peace, Security and Cooperation Framework and representatives of the National Oversight Mechanism undertook efforts to advance the implementation of the Nairobi Declarations, particularly with regard to the repatriation of ex-Mouvement du 23 mars (M23) elements.

54. On 12 April, the National Oversight Mechanism called for sanctions against the ex-M23 leadership and an independent assessment of the implementation of regional commitments by all signatories to the Peace, Security and Cooperation Framework. From 23 to 28 April, representatives of the guarantors of the

Framework held consultative meetings in Uganda, Rwanda and the Democratic Republic of the Congo with the national authorities of those countries, the ex-M23 and international partners on ways to accelerate the implementation of the Nairobi Declarations. From 27 to 28 May, in Kinshasa, representatives of the Government and the ex-M23 met for the first time since the signing of the Nairobi Declarations, in 2013, to review progress made in the implementation of the Declarations. It was decided that a technical meeting would be convened to address contentious issues relating to the implementation of the Declarations. Prior to the meeting, the representatives of the guarantors of the Framework visited Goma, Beni, Eringeti, Kanyabayonga and Nyamilima in North Kivu from 23 to 26 May to assess progress in the neutralization of armed groups.

55. On 30 May, the ex-M23 faction led by Bishop Jean-Marie Runiga, the previous President of the ex-M23, was registered in the Democratic Republic of the Congo as a political party under the name Alliance pour le salut du peuple. In a communiqué issued on 2 June in Kampala, the President of the ex-M23, Bertrand Bisimwa, stated that the leadership of the ex-M23 had not taken any decision to transform the movement into a political party.

56. On 13 May, the Technical Support Committee of the Peace, Security and Cooperation Framework met in Lusaka to review progress in the implementation of the Framework. The Committee commended preliminary efforts by the Democratic Republic of the Congo to establish a commission on national reconciliation. It also requested my Special Envoy for the Great Lakes Region and the International Conference on the Great Lakes Region to convene a regional meeting on the return of refugees, in coordination with UNHCR.

57. In its communiqué of 14 June, the International Conference on the Great Lakes Region summit of Heads of State and Government commended the Government of the Democratic Republic of the Congo for the efforts towards neutralizing ADF, FDLR and other local negative forces, and encouraged continued joint military operations between MONUSCO and FARDC. It also welcomed the report on the mission of the guarantors on the implementation of the Nairobi Declarations, recommended continued and sustained engagement with the Government and the ex-M23 and pledged support to the agreement reached among the Presidents of the Democratic Republic of the Congo, Kenya, Uganda and the United Republic of Tanzania to formulate a joint follow-up mechanism to address the growing threat posed by ADF.

III. Deployment of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo and implementation of its mandate

A. Strategic dialogue and development of an exit strategy for the Mission

58. Following a series of high-level discussions between the MONUSCO leadership and the Government, an agreement was reached to establish a working group of the strategic dialogue to take forward discussions on an exit strategy for the Mission. The key goal of the discussions is to develop jointly agreed criteria to measure progress on the ground, with a view to identifying the minimum conditions

for the eventual transition of the mandated responsibilities of the Mission to the Government or other partners. The working group made some progress towards this goal, including preliminary agreement on some of the conditions that would guide further development of the strategy in line with resolution 2277 (2016).

B. Transformation of the force

59. The MONUSCO force continued efforts to better deliver on the mandate of protection of civilians and neutralization of armed groups. Progress was made in the implementation of the transformation of the force, including through temporary, targeted and timely deployments in high-risk areas.

60. Capability development remains a critical requirement for the transformation of the MONUSCO force, with the establishment of rapidly deployable battalions located in Ituri, North Kivu and South Kivu. The first rapidly deployable battalion deployed in South Kivu is operational, although some equipment has yet to be delivered. So far, it has facilitated access for civilian staff to Kalongo and Kamitunga (South Kivu), thus enhancing liaison with communities and reporting. The enhanced rapid response capacity will be further complemented through the establishment of another two such battalions, projected for February 2017 and January 2018.

C. Preparations for the elections

61. Pursuant to paragraph 52 of resolution 2277 (2016), MONUSCO reviewed its plans to address security risks and to monitor and report on human rights violations and abuses in the context of the elections. As indicated in paragraph 4 above, my Special Representative used his good offices to promote dialogue among all Congolese stakeholders, which remains the most important avenue for reducing the likelihood of violence. MONUSCO also updated its risk analysis, which included an assessment of possible triggers of violence. Particular focus was placed on identifying strategies to enhance civilian monitoring and reporting on human rights with a view to ensuring early warning, particularly in areas identified as being at high risk of unrest and violence in the context of the elections, including areas in which there is no MONUSCO presence. MONUSCO is reviewing its deployment of military and police personnel to ensure adequate deployment on the basis of its updated risk analysis. In order to ensure the protection of United Nations personnel, MONUSCO commenced planning to deploy a helicopter to Kinshasa and to reinforce capabilities in Kisangani and Lubumbashi, including a potential increase in armoured personnel carriers and evacuation plans for remote sites.

62. MONUSCO is developing contingency plans in the event of widespread violence in the context of the electoral process. The contingency plans envisage the possible activation of inter-mission cooperation mechanisms. Similarly, the Mission's operability in conflict-affected areas would be affected should any significant diversion of resources and assets be required in the context of election-related violence.

63. The Mission identified gaps in its presence and capacity to monitor and report on human rights violations and political space throughout the electoral period in Kasai, Haut-Lomami, Lualaba, Sankuru, South Ubangi and North Ubangi provinces, all of which are assessed to be at high risk of election-related violence. On the basis of this risk assessment, the electoral advisory mission to the Democratic Republic of

the Congo recommended the establishment of joint human rights and political monitoring and reporting teams to five additional locations. The Mission has made preliminary efforts to create multidisciplinary monitoring and reporting teams and to enhance overall cooperation with national security institutions. In addition, MONUSCO is proceeding with the creation of three mobile teams in Kinshasa, Goma and Lubumbashi, available for short-term deployments of up to two weeks to potential hotspots to monitor and report on political and human rights issues in the context of elections. The Mission placed additional focus on reinforcing the capacity of State actors and civil society in the field of human rights, raised awareness among the Congolese security forces and conducted monitoring and reporting on human rights violations in the electoral context.

64. MONUSCO continued efforts to train Congolese national police personnel on public order management, with a particular focus on prevention through non-lethal crowd control measures, bringing the total number of personnel trained since July 2015 to 3,499. MONUSCO police also intensified patrols, including in Lubumbashi, to mitigate political tensions.

65. The existing seven formed police units of MONUSCO will continue to provide advice and logistical support to the national police. The Mission is currently developing scenarios and specific triggers, which, if realized, could necessitate the deployment of two additional formed police units in Kisangani and Lubumbashi through possible inter-mission cooperation arrangements.

66. MONUSCO will assist Congolese authorities in the preparations for voter registration, which will require additional resources.

IV. Safety and security of United Nations personnel

67. MONUSCO assessed that its support for FARDC-led operations against armed groups had not led to any discernible increase in threats to United Nations personnel and installations. Fifty-one security-related incidents involving United Nations personnel were reported in the country, of which 44 were hazard- and safety-related.

V. Serious misconduct, including sexual exploitation and abuse

68. MONUSCO continued its efforts to enforce my zero-tolerance policy on sexual exploitation and abuse through robust preventive measures and enhanced coordination of assistance to victims. MONUSCO carried out 57 training sessions and 5 assessment missions in Ituri and North Kivu provinces and conducted outreach activities to instruct all personnel on their obligations. The Special Coordinator on Improving the United Nations Response to Sexual Exploitation and Abuse, Jane Holl Lute, visited the Democratic Republic of the Congo from 13 to 16 April and met with government officials, the international community, United Nations personnel and local communities in Sake and other high-risk areas in North Kivu. She sought, among other things, to encourage enhanced commitment by United Nations personnel to the zero-tolerance policy against sexual exploitation and abuse.

69. MONUSCO continued to work through established mechanisms, such as the dedicated task force and immediate response teams, and collaborated with specialized agencies, funds and programmes of the United Nations system and other relevant partners to deliver assistance to victims of sexual abuse and exploitation.

Community-based complaint mechanisms are now operational in Beni, Bunia, Goma, Kalemie, Kavumu, Sake and Uvira.

70. Six possible cases of sexual abuse and exploitation were identified during the period under review. Furthermore, 12 of the 18 allegations associated with the six cases involve the military and refer to the sexual exploitation of minors. All cases were referred to the concerned Member States for appropriate action.

VI. Observations

71. I am concerned about rising political tensions in the Democratic Republic of the Congo ahead of the constitutionally envisaged presidential and legislative elections. Delays in the electoral process, a debate around the respect for the Constitution and increasing restrictions on democratic space are fuelling political polarization and public discontent. I underline once again the crucial importance of holding credible political dialogue with all relevant Congolese stakeholders, leading to a consensus that would allow for free, fair, transparent and credible elections to be held in accordance with the framework of the Constitution of the Democratic Republic of the Congo, thus preserving peace and stability in the country and deepening the democratic process and the rule of law. Inclusive and credible dialogue among the stakeholders concerned remains the only viable avenue to address expected delays in the presidential and legislative elections if they are not held in November and to prevent political instability and violence.

72. A lot is at stake in the Democratic Republic of the Congo, where the international community has invested heavily both in terms of political capital and resources to sustain the hard-won peace in the country. The current political uncertainty has the potential to lead to a serious crisis that would not only compound the pain of the Congolese people, who have already suffered far too much, but also destabilize the subregion. I am concerned that in the absence of a credible and meaningful political dialogue among Congolese stakeholders, tensions could degenerate into a severe crisis, with a high risk of relapse into violence and instability, that would not only reverse the hard-won gains but also require a response beyond the capacity of MONUSCO. As the Mission is stepping up efforts to prevent violence and protect civilians while planning for contingencies, I can only re-emphasize that the most effective prevention of violence is an inclusive and credible dialogue process. I call upon the international community to actively engage in promoting dialogue and preventing a relapse into violence.

73. It is the primary responsibility of the Government and all concerned Congolese stakeholders to maintain peace and stability in the Democratic Republic of the Congo and to strengthen democracy and the rule of law. I therefore urge all Congolese political stakeholders to engage in good faith in an inclusive and credible dialogue process and to reach consensus on a way forward that will lead to free and fair elections in accordance with the framework of the Constitution of the Democratic Republic of the Congo. I reaffirm my full support for the facilitation efforts led by Edem Kodjo on behalf of the African Union, and I welcome the agreement to set up a support group for the facilitation, which also includes representatives of the United Nations, the African Union, the European Union, the International Conference on the Great Lakes Region and SADC. My Special Representative for the Democratic Republic of the Congo and my Special Envoy for the Great Lakes Region will continue to actively support the efforts of the Facilitator. I call upon all Congolese actors to extend their full cooperation to the

Facilitator, recalling that he is acting within the framework of the relevant instruments of Security Council resolution 2277 (2016) and the African Union.

74. I deplore the loss of life and injuries during demonstrations in Bandundu, Butembo, Goma and Kinshasa, and I note with concern the arbitrary arrests, acts of intimidation and repression in other cities. Limitations to freedom of expression and peaceful assembly fuel tension and violence. I urge the Government of the Democratic Republic of the Congo to respect freedom of expression, assembly and information as fundamental rights that are essential to the conduct of free and fair elections.

75. I am outraged by the continued atrocities carried out in the Beni area, and I condemn in the strongest terms the criminal and senseless acts of violence by suspected ADF and affiliated groups in the Eringeti area, resulting in the killing of civilians. I also note with grave concern allegations of human rights abuses committed by armed groups operating in Ituri, North Kivu and South Kivu. More needs to be done to identify and bring to justice the perpetrators of these crimes and those who support them. The United Nations remains committed to taking all necessary actions in line with its mandate to protect civilians and neutralize armed groups in eastern Democratic Republic of the Congo.

76. I am encouraged by the resumption of active military cooperation between FARDC and MONUSCO in operations against ADF and FDLR in North Kivu, with a view to addressing the threat posed by armed groups to the civilian population in the eastern part of the country. This is an important step in the right direction. As coordinated operations against armed groups gather pace, I once again underline the importance of strong support for the implementation of the national plan for disarmament, demobilization and reintegration of former combatants along with effective measures to extend State authority. Without a fully funded national programme, there is a renewed risk of former combatants taking up arms and returning to armed groups or resorting to crime. To provide people with alternative livelihoods and options other than violence is paramount to prevent them from taking up weapons again. As indicated in my previous report, it is important that the disarmament, demobilization and reintegration of combatants be accorded the necessary political and financial commitment, with a view to avoiding a situation whereby former combatants return to their previous violent and illegal activities.

77. In the same spirit of cooperation and partnership, I encourage the Government to continue to work with the Mission on the joint development of a conditions-based joint exit strategy for MONUSCO, in accordance with resolution 2277 (2016).

78. I am grateful to my Special Representative for the Democratic Republic of the Congo and Head of MONUSCO, Maman Sidikou, for his tireless efforts in carrying out the Mission's mandate. I am deeply appreciative of the work carried out by the civilian and uniformed men and women of MONUSCO and the United Nations country team in a demanding environment. I am also grateful to my Special Envoy for the Great Lakes Region, Said Djinnit, for his engagement in the subregion in coordination with MONUSCO. I thank the troop- and police-contributing countries, regional organizations and international partners for their continued efforts in support of the Congolese people and authorities in their pursuit of peace and stability.